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CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to: Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Application Number	09/688,371				
Filing Date	October 12, 2000				
First Named Inventor	Cotten et al.				
Art Unit	1648				
Examiner Name	Foley, S.A.				
Attorney Docket Number	0652.2150001/EKS/PAJ				

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on

page 2.									•	
amend	men Int in	is and struct	amenam s otherwis	ients enclosed w	rith the RCE loes not wish	will be entere to have anv	ed in the o	rder in w	usly filed unentered which they were filed unless nentered amendment(s)	
a.	 a. \infty Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked. 									
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b.	ii. ☑ Other <u>Amendment and Reply Under 37 C.F.R. §1.116 filed on April 23, 2003</u> b. ☑ Enclosed									
D.				-A/D Iv						
	i.		mendme				ii.		ffidavit(s)/Declaration(s)	
	iii.	⊔ Ir	ntormation	Disclosure Stat	ement (IDS)		iv.	⊠ Ot	her Petition for Extension	
2. Miscellaneous 11/24/2003 EFLORES 00000117 09688371							<u>ot lin</u>	ne Unde	er 37 C.F.R. § 1.136(a)(1)	
a. b.		Suspe	ension of	01 FC:1801 action of the abo months. (Perio	OVE-identified of suspension s	770.00 0F 2010.e0 0F d application shall not exceed 3	is request	ed unde nder 37 C.F	er 37 C.F.R. § 1.103(c) for a F.R. § 1.17(i) required)	
3. Fees The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.										
 a. \(The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 19-0036 										
i. MRCE fee required under 37 C.F.R. § 1.17(e)										
ii. ⊠ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) iii. □ Other										
b.				nount of \$		onolog	ad			
b. □ Check in the amount of \$enclosed c. ☒ Payment by credit card (Form PTO-2038 enclosed)										
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·			SIGN	IATURE OF API	PLICANT, A	TTORNEY, C	OR AGENT	REQU	IRED	
Name (ME (Print /Type) PETER A. JACKMAN STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.			Registratio (Attorney/Agen	Registration No. (Attorney/Agent)		45,986			
Signatu	re		13.		Date		1	1/21/03	3	
CERTIFICATE OF MAILING OR TRANSMISSION										
l hereby postage 1450, A shown t	lexa	ndria,	at this corr ass mail in VA 22313	esnondence is h	eina denosit	ed with the I	Inited Stat	on Post	al Service with sufficient For Patents, P.O. Box emark Office on the date	
Signature							Date			

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

PTO/SB/17 (08-03)

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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
ons are required to respond to a collection of information unless it displays a valid OMB control number. Under the Paperwork Reduction April 1995, 50, per Complete if Known **FEETRANSMITTA** Application Number - NOV 2 1 2003 09/688,371 for FY 2004 Filing Date October 12, 2000 Effective 10/01/2003. Patent fees are subject to a **To**ual revision. First Named Inventor Cott n et al. Examiner Name Applicant claims small entity status. See 37 CFR 12FM Foley, S. A. **Art Unit TOTAL AMOUNT OF PAYMENT** 1648 (\$)2,780.00 Attorney Docket No. 0652.2150001/EKS/PAJ METHOD OF PAYMENT (check all that apply) FEE CALCULATION (continued) 3. ADDITIONAL FEES ☐ Check 🛱 Credit card 🔲 Money Order 💆 Other** 🔲 None ** Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 19-0036. arge Entity Small Entity ☐ Deposit Account Fee Fee Fee (\$) Code (\$) Fee Description Fee Paid Deposit Account Number 19-0036 Deposit Account Name: Steme, Kessler, Goldstein & Fox P.L.L.C. 1051 130 2051 65 Surcharge - late filing fee or oath The Commissioner is authorized to: (check all that apply) 1502 50 2052 25 Surcharge-late provisional filing fee or cover ☐ Charge fee(s) indicated below ☐ Credit any over payments 1053 130 053 130 Non-English specification ☐ Charge any additional fee(s) during the pendency of this 1812 2,520 1812 2,520 For filing a request for ex parte reexamination application 1804 920 1804 9201 Requesting publication of SIR prior to Examine action ☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account. 1805 1.840 805 1.840 Requesting publication of SIR after Examiner action 1251 110 2251 55 Extension for reply within first month 1252 420 2252 210 Extension for reply within second month **FEE CALCULATION** 1253 950 253 Extension for reply within third month **BASIC FILING FEE** 1254 1,480 2254 740 Extension for reply within fourth month Large Entity Small Entity 1255 2.010 2255 1.005 Extension for reply within fifth month 2,010.00 Fee Fee Description Fee Paid 1401 330 2401 165 Notice of Appeal Code (\$) 1402 330 2402 165 Filing a brief in support of an appeal 1001 770 2001 385 Utility filing fee 1002 340 2002 170 Design filing fee 1403 290 2403 145 Request for oral hearing 1003 530 2003 265 Plant filing fee 1451 1.510 1451 Petition to institute a public use proceeding 1,510 1004 770 2004 385 Reissue filing fee 1452 110 2452 55 Petition to revive - unavoidable 1105 160 2005 80 Provisional filing fee 1453 1,330 2453 665 Petition to revive - unintentional SUBTOTAL (1) (\$) 0.00 1501 1.330 2501 665 Utility issue fee (or reissue) **EXTRA CLAIM FEES FOR UTILITY AND REISSUE** 1502 480 2502 240 Design issue fee Extra below Fee Paid 1503 640 2503 320 Plant issue fee Total Claims - 20** = 1460 130 1460 130 Petitions to the Commissioner Indep. Claims _ _- 3** = _ Multiple Dependent 1807 50 1807 50 Processing fee under 37 CFR 1.17(q) 1806 180 1806 180 Large Entity Small Fee Fee Fee Submission of Information Disclosure Stmt Entity Fee Description Code (\$) Code (\$) 8021 40 8021 40 Recording each patent assignment per property (times number of properties) 1202 18 2202 9 Claims in excess of 20 1809 770 2809 385 Filing a submission after final rejection (37 CFR 1.129(a)) 1201 86 2201 43 Independent claims in excess of 3 1203 290 2203 145 1810 770 Multiple dependent claim, if not paid 2810 385 For each additional invention to be examined (37 CFR 1.129(b)) 1204 86 2204 43 **Reissue independent claims 1801 770 2801 385 Request for Continued Examination (RCE) 770.00 over original patent 1205 18 2205 **Reissue claims in excess of 20 1802 900 1802 Request for expedited examination of a design application and over original patent Other fee (specify) SUBTOTAL (2)

SUBMITTED BY Complete (if applicable) Name (Print/Type) Registration No. Peter A. Jackman 45.986 Telephone (Attorney/Agent) 202-371-2600 Signature 21 ے د

Reduced by Basic Filing Fee Paid

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

(\$) 0.00

or number previously paid, if greater; For Reissue, see above

(\$) 2,780.00

SUBTOTAL (3)





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November 21, 2003

WRITER'S DIRECT NUMBER: (202) 772-8582 **INTERNET ADDRESS:** PJACKMAN@SKGF.COM

Art Unit 1648

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Re:

U.S. Utility Patent Application

Appl. No. 09/688,371; Filed: October 12, 2000

Recombinant, Replication Defective CELO

Virus and CELO Virus DNA

Inventors:

Cotten et al.

Our Ref:

0652.2150001/EKS/PAJ

Sir:

Transmitted herewith for appropriate action are the following documents:

- 1. Fee Transmittal Form;
- 2. Petition for Extension of Time Under 37 C.F.R. § 1.136(a)(1);
- 3. Request for Continued Examination (RCE) Transmittal;
- 4. Credit Card Payment Form in the amount of \$2,780.00 to cover: Extension of Time Fee \$2,010.00

Request for Continued Examination Fee \$770.00; and

5. One return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Sterne, Kessler, Goldstein & Fox PLLC. : 1100 New York Avenue, NW: Washington, DC 20005: 202.371.2600 f 202.371.2540: www.skgf.com